

IC 12-15-42

Chapter 42. Medicaid Work Incentives Council

IC 12-15-42-1

Purposes

Sec. 1. The Medicaid work incentives council is established for the following purposes:

- (1) To assist the office in developing a coordinated and aggressive state policy to bring adults with disabilities into gainful employment through a Medicaid buy-in program at a rate that is as close as possible to that of the general adult population.
- (2) To support the goals of equality, opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-2

Members

Sec. 2. (a) The council consists of the following members:

- (1) Twelve (12) members appointed by the governor. The governor shall make the appointments required under this subdivision by July 1, 2001.
- (2) One (1) member of the senate appointed by the president pro tempore of the senate.
- (3) One (1) member of the house of representatives appointed by the speaker of the house of representatives.
- (4) The administrator of the office, or the administrator's designee, shall serve as an ex officio nonvoting member of the council.

(b) The members appointed under subsection (a)(1) must have experience or expert knowledge related to employment, employment services, vocational rehabilitation, Social Security work incentives, acute health care, long term services and supports, including Medicaid, and other support services for individuals with disabilities. At least one-third (1/3) of the task force members appointed under subsection (a)(1) must be individuals with disabilities or representatives of individuals with disabilities, with consideration given to current or former recipients of Social Security Disability Insurance or Supplemental Security Income.

(c) The members appointed under subsection (a)(2) and (a)(3):

- (1) may not be members of the same political party; and
- (2) are nonvoting members.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-3

Terms of members

Sec. 3. (a) The term of each member appointed under section 2(a)(1) of this chapter is four (4) years.

(b) A member appointed under section 2(a)(1) of this chapter:

- (1) may be reappointed; and
- (2) may be removed only for cause.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-4

Expiration of term

Sec. 4. A member appointed under section 2(a)(2) or 2(a)(3) of this chapter serves until the member's current term of office as a member of the general assembly expires.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-5

Vacancies

Sec. 5. A vacancy must be filled within forty-five (45) days after the vacancy by the authority making the original appointment.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-6

Chairperson

Sec. 6. The governor shall select one (1) of the members of the council to serve as chairperson.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-7

Meetings

Sec. 7. (a) The council shall meet at least quarterly.

(b) Only the chairperson may call additional meetings.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-8

Quorum

Sec. 8. A quorum consists of a majority of the members appointed to the council.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-9

Majority of votes required to take action

Sec. 9. The affirmative votes of a majority of the voting members appointed to the council are required for the council to take action on any measure, including final reports.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-10

Per diem; reimbursement of expenses

Sec. 10. (a) Each member of the council who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana

department of administration and approved by the budget agency.

(b) Each member of the council who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Each member of the council who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-11

Expenses paid from appropriated funds

Sec. 11. The expenses of the council shall be paid from funds appropriated to the office.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-12

Support staff

Sec. 12. The office shall provide support staff to the council.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-13

Evaluation and findings of council

Sec. 13. (a) The council shall evaluate the feasibility of:

(1) establishing a program to collaborate with and subsidize employer sponsored health care coverage under a Medicaid buy-in program; and

(2) providing personal care assistance services to individuals participating in a Medicaid buy-in program;

and shall report the findings of the evaluation to the governor, the legislative council, and the health finance commission (IC 2-5-23).

(b) The council shall file the report required under subsection (a) not later than December 1, 2002.

As added by P.L.287-2001, SEC.10.

IC 12-15-42-14

Annual report

Sec. 14. (a) The council shall provide an annual report to the governor, the legislative council, and the health finance commission (IC 2-5-23) not later than July 31 each year.

(b) The report required under this section must include the following:

(1) The evaluation made by the office under IC 12-15-41-13 and

any comments the council has regarding the evaluation.

(2) Recommendations for any necessary legislation or rules.

(c) A report provided under this section to the legislative council must be in an electronic format under IC 5-14-6.

As added by P.L.287-2001, SEC.10. Amended by P.L.1-2002, SEC.54; P.L.28-2004, SEC.105.